

RECEIVED
CENTRAL FAX CENTER

SEP 05 2006
CERTIFICATE OF TRANSMISSION

I hereby certify that this 3-page correspondence is being facsimile transmitted to the
Patent and Trademark Office - Fax No. (571) 273-8300

Date:

Roxanne P. Day
Roxanne P. Day

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Victor A. Rivas

Art Unit: 2615

Serial No. 09/396,888

Examiner: Laura A. Grier

Filed: 9/16/1999

For: PULSE RATE, PRESSURE AND HEART CONDITION MONITORING GLASSES

RESPONSE

To the Director of the Patent and Trademark Office

Sir:

In response to the Office Action dated June 2, 2006:

Kindly reconsider and withdraw the new, formal §112 rejection on page 3 and the top of page 4.

Kindly withdraw the § 103 rejection base on the new reference, Piosenka, not cited in eight previous Office Actions. Piosenka has no relation to Fukushima and nothing to do with the present invention. Piosenka is from a different, unrelated art of auto focusing lenses which does not pertain to the present invention. See '35 USC 103.

Examples of claims 7, 16 and 31 are shown in Figure 1.

Claims 7 and 31 contain the language of claim 16, which is an original claim and is part of the original disclosure.